

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
UNITED STATES OF AMERICA,	:
	:
Plaintiff,	:
	:
-against-	:
	:
WINIFRED JIAU,	:
	:
Defendant.	:
-----X	

Case No: 11-cr-161 (JSR)

**DECLARATION OF JOANNA C. HENDON IN SUPPORT OF
MOTION OF JOANNA C. HENDON, DAVID A. LUTTINGER, JR.
AND MORGAN, LEWIS & BOCKIUS LLP TO WITHDRAW AS
COUNSEL OF RECORD**

I, Joanna C. Hendon, hereby declare:

1. I am a partner at Morgan, Lewis & Bockius LLP, 101 Park Avenue, New York, New York 10178. I am admitted to practice in this District. I am counsel of record for Winifred Jiau in the above-captioned matter. I submit this declaration in support of the Motion of Joanna C. Hendon, David A. Luttinger, Jr., and Morgan, Lewis & Bockius LLP to Withdraw as Counsel of Record for Ms. Jiau.

2. David A. Luttinger, Jr. is also a partner at Morgan, Lewis & Bockius LLP in New York. He is admitted to practice in this District. He is also counsel of record for Ms. Jiau in the above-captioned action.

3. The government charged Ms. Jiau by Complaint filed on December 23, 2010. On March 8, 2011, a grand jury in this District returned a Superseding Indictment against Ms. Jiau charging her with securities fraud and conspiracy to commit securities fraud.

4. On March 4, 2011, the District Court relieved Ms. Jiau's then-counsel of

record, Frederick Phillip Hafetz, and appointed me to represent Ms. Jiau, pursuant to the Criminal Justice Act, Title 18 United States Code, Section 3006A.

5. On June 20, 2011, a jury in this District returned a guilty verdict against Ms. Jiau.

6. On September 21, 2011 the District Court sentenced Ms. Jiau to a term of imprisonment of 48 months, to be followed by two years of supervised release. A judgment was entered accordingly against Ms. Jiau on October 4, 2011.

7. On October 6, 2011, my law firm filed a Notice of Appeal on behalf of Ms. Jiau in the United States Court of Appeals for the Second Circuit.

8. On October 19, 2011, I moved the Court of Appeals for an order permitting me to withdraw as counsel for Ms. Jiau. On October 20, 2011, the Court of Appeals granted that motion and appointed Randa Dea Maher, Esq. to represent Ms. Jiau.

9. On May 18, 2012, Ms. Jiau filed in this District a motion for a new trial, pursuant to Rule 33 of the Federal Rules of Criminal Procedure.

10. On May 21, the District Court dismissed Ms. Jiau's motion for lack of jurisdiction given her pending appeal.

11. On May 22, 2012, Ms. Maher filed an appellate brief on behalf of Ms. Jiau in the Court of Appeals, challenging Ms. Jiau's conviction and sentence. On August 30, 2012, Ms. Maher filed a supplemental appellate brief.

12. Last month, Ms. Jiau contacted me from prison to ask that I move the District Court to permit me, Mr. Luttinger, and my firm to withdraw as her counsel in this Court. I understand that Ms. Jiau wishes to file *pro se* a motion, pursuant to Title 28 United States Code, Section 2255, challenging her conviction and sentence. Among other arguments, Ms. Jiau intends to allege that her counsel at trial and sentencing were

constitutionally ineffective. In my communication with her, Ms. Jiau has made clear that she no longer wishes to be represented by me, Mr. Luttinger, or by my firm.

Dated: New York, New York
September 18, 2012



Joanna C. Hendon